

replace the portion deleted from Dec. 1

DECLARATORY

~~Improvement~~ Res. No. 1076-1962

For the Condemnation of a permanent  
right of way for sewer easement purposes  
and a temporary right of way for construction  
purposes across parts of Sections 28 and 33  
situated in Township 30 North, Range 12 East,  
all in Allen County, Indiana.

Resolution Adopted:

June 20, 1962

Confirmed:

July 12, 1962

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

Sept. 6, 1962

B.O. 118-'62

replaces portion deleted from Dec.1072

DECLARATORY RESOLUTION NO. 1076-1962

For the Condemnation of a permanent right of way for sewer easement purposes and a temporary right of way for construction purposes across parts of Sections 28 and 33 situated in Township 30 North, Range 12 East, all in Allen County, Indiana.

PLANS ORDERED:

ADOPTED: June 20, 1962

ADVERTISE NOTICE TO PROPERTY OWNERS: June 22 & 29, 1962

Notices mailed: June 27, 1962

HEARING ON CONFIRMATION: Thurs., July 12, 1962 at 3:30 p. m.

CONFIRMED: July 12, 1962

ASSESSMENT ROLL ORDERED: July 12, 1962

ASSESSMENT ROLL APPROVED: August 13, 1962

HEARING ON CONFIRMATION

OF ASSESSMENT ROLL: Thurs., Sept. 6, 1962

NOTICE SERVED: August 21, 1962

ASSESSMENT ROLL CONFIRMED: Sept. 6, 1962

For the Condemnation of a permanent right of way for sewer easement purposes and a temporary right of way for Construction purposes across parts of

Sections 28 and 33 situated in Township 30 North, Range 12 East, all in Allen County, Indiana.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana that there be condemned a permanent right of way for sewer purposes 10 feet in width and a temporary right of way for sewer construction purposes 30 feet in width, both on the west side of a base line to be described, and a permanent right of way on the East side of said base line 10 feet in width, or to a width such as is necessary to be co-incident with the West property lines of lots 335 to 331 inclusive, in Waynedale Gardens Second Addition Extended to the City of Fort Wayne, Indiana, and lots 101 to 74 inclusive in Waynedale Gardens Second Addition to the City of Fort Wayne, Indiana, and lots 166 to 169 inclusive, lots 62 to 72 inclusive, lots 75 and 76, and lots 120 to 133 inclusive, all in Abner S. Elzey's Third Addition to the original plat of Waynedale, Allen County, Indiana, and lots 105 to 84 inclusive, all in Abner S. Elzey's Second Addition to Waynedale, Allen County, Indiana. All rights of way to be parallel with and measured from the base line which is more particularly described as follows, to wit:

Beginning at a point, said point being located 10 feet West of the North-west corner of lot 335 in said Waynedale Gardens Second Addition Extended, which point is also 60 feet East of the West line of the Indiana Service Corporation's vacated right of way; thence Southerly and 60 feet East of and parallel to the West line of said Indiana Service Corporation's vacated right of way to the South line extended West of lot 92 in said Waynedale Gardens Second Addition; thence Southerly and 56 feet East of and parallel to the West line of said Indiana Service Corporation's vacated right of way from the South line extended West of said lot 92 in said Waynedale Gardens Second Addition to the South line extended West of lot 74 in said Waynedale Gardens Second Addition; thence Southerly and 60 feet East of and parallel to the West line of said Indiana Service Corporation's vacated right of way from the South line extended West of said lot 74 in said Waynedale Gardens Second Addition to the North line of the Lower Huntington Road; thence beginning at a point on the South line of the Lower Huntington Road, located 30 feet East of the West line of the now vacated Indiana Service Corporation's right of way; thence Southerly and parallel and 30 feet East of the West line of the now vacated Indiana Service Corporation's right of way to 10 feet South of the North line extended West of said lot 3 in Elzey's Second Addition;

Also a permanent right of way for sewer purposes 10 feet in width, North and South of the following described centerline, and a temporary right of way for sewer construction purposes 30 feet in width located adjacent to and South of said line, which line is described as follows, to wit:

Commencing at a point 20 feet East of the West line of the Indiana Service Corporation's right of way and 10 feet South of the North line extended West of lots 3, 4 and 5 in said Elzey's Second Addition; thence Easterly and 10 feet South of the North line of said lots 3, 4 and 5 to the Westerly line of Bradbury Avenue;

except for any part thereof recorded as permanent easements for sewer purposes of all the above descriptions.

Which temporary right of way shall expire within three (3) years from the date of the adoption of this Resolution.

All as shown by a plan of such proposed Condemnation of right of way for sewer purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.





# WAYNE DALE AREA

1076



— PRESENT CORPORATE LIMITS



— PROPOSED CORPORATE LIMITS

CASE



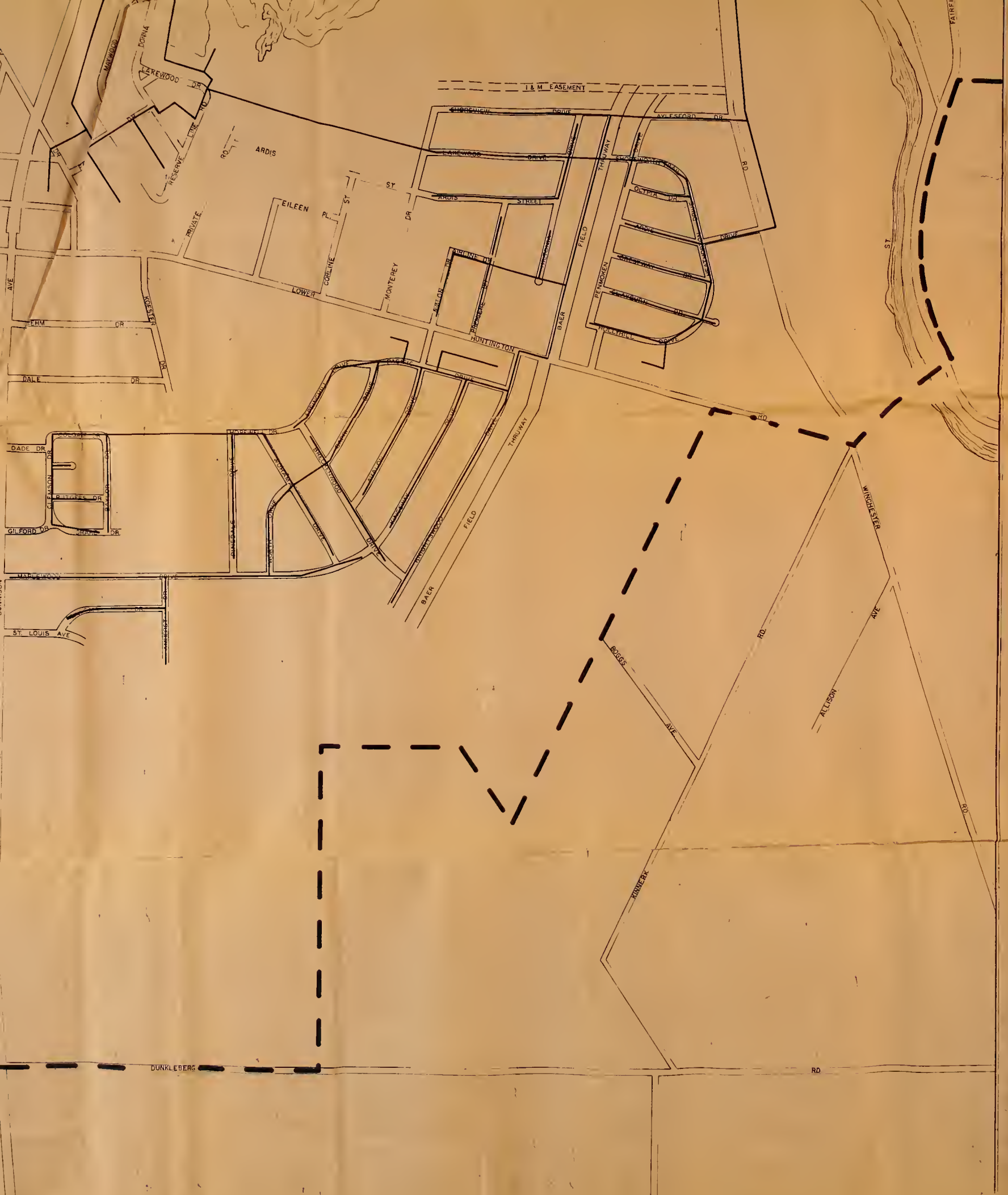












The cost of said Condemnation of right of way for sewer easement purposes and temporary right of way for construction purposes shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Condemnation of right of way for sewer easement purposes and temporary right of way for construction purposes is described as follows: Sections 28 and 33 situated in Township 30 North, Range 12 East, all in Allen County, Indiana.

All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation," as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five percent (5%) per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All Proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

All streets, lots and lands affected by the above described Condemnation are situated in the Sections 28 and 33 situated in Township 30 North, Range 12 East, all in Allen County, Indiana.

ADOPTED THIS 20 DAY OF June 1962.

P. F. Roubke  
Blward  
 BOARD OF PUBLIC WORKS

ATTEST:

\_\_\_\_\_  
 CLERK

ENGINEERING  
DEPT. OF STREETS

DATE February 20, 1962

TO: Board of Public Works

SUBJECT: Waynedale Intercepting Sewer Easements

NOTED

☒ P.E.R.

☒ H.N.C.

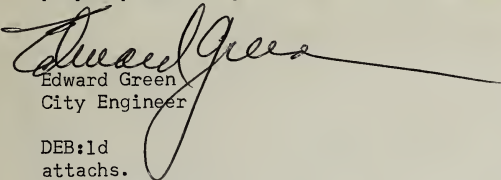
☒ B.W.

Date 2/23/62

118

Declaratory Resolution No. 1076-1962, which provides for the condemnation of permanent and temporary right-of-way for sewer easement purposes, in connection with Main Sewer Resolution No. 135-1961, is completed and attached.

This resolution replaces the portion deleted from Declaratory Resolution No. 1072-1961. Please notify this office what Board Order Number is assigned to this resolution. Drawing and property ownership list are also attached.

  
Edward Green  
City Engineer

DEB:ld  
attachs.  
cc: Mayor Burns

RECEIVED  
FEB 23 1962  
RECEIVED



OFFICE OF  
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

B.O. 118-'62

Date July 12, 1962

To City Engineer

Subject Dec. Res. 1076-1962 Sewer easements (Waynedale)

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Paul F. Roembke  
Berkeley Ward  
BOARD OF PUBLIC WORKS

ic  
attach Res. & P. O. List  
cc: Mayor Burns

NOTED

☐ P.F.R.

☐

☐ B.W.

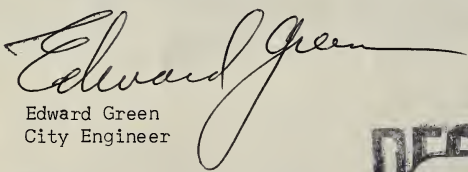
Signed \_\_\_\_\_

Date \_\_\_\_\_

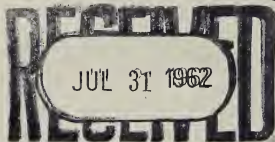
Reply:

July 31, 1962

Assessment Roll of Benefits and Damages completed and attached.

  
Edward Green  
City Engineer

DEB:ld  
attach.



Signed \_\_\_\_\_

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COP.

# NOTICE OF IMPROVEMENT

## OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana, June 27, 1962

1076

To.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did pass Improvement Resolution No. 1076-1962..... providing for the **Condemnation of a permanent right of way for sewer easement purposes and a temporary right of way for construction purposes across parts of Sections 26 and 33 situated in Township 30 North, Range 12 East, all in Allen County, Indiana.**

All work to be done under aforementioned Improvement Resolution shall be in accordance with the detailed plans, profile and specifications which are now on file and may be seen in the office of the Board of Public Works.

The Board has fixed..... **Thursday, July 12, 1962 at 3:30 p. m.** a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by the proposed improvement.

You are hereby notified that

is subject to assessment for said proposed improvement under the Improvement Laws passed by the General Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Sewer  
Engineering Department

Date March 2, 1962

NOTED  
NOTED

To: Board of Public Works

Subject: Waynedale Sewers

1076

RECEIVED  
MAR 5 1962  
RECEIVED

P.F.R.  
P.F.R.  
H.N.C.  
B.W.  
B.W.

Reference is made to my letter dated February 2, 1962, regarding the realignment of the Bradbury Avenue leg of the above mentioned sewer and subsequent hearing yesterday at which you confirmed the proposed right of way for this.

I received the attached letter from Consoer Townsend on this matter recently and should like your authorization, as requested in the last paragraph of the letter, to proceed with the sewer changes on the original drawings. I am in agreement with the location of the sewer as mentioned in paragraph three of the letter, and do not think any changes are desired from those which they propose.

*William Smith*

P. S. Sidney-Smith  
Chief Sewer Engineer

gk  
Attachment  
cc: Mayor Burns  
Mr. Edward Green

Approved by:

*Edward Green*

Edward Green - Chief Engineer, City Utilities

P.S.:

May I please have the attached drawings back, as these are the only copies we have.

P. S. S.



February 20, 1962

Mr. P. S. Sidney-Smith  
Chief Sewer Engineer  
City Engineering Offices  
425 S. Calhoun Street  
Fort Wayne, Indiana

Re: Waynedale Intercepting Sewer

Dear Mr. Smith:

We are returning herewith the four sheets of drawings on the Waynedale branch sewer east of the Nickle Plate R.R. tracks, showing the proposed easements.

The drawings have been checked and we concur with the easements as located.

A proposed location of the sewer in the revised easements is shown in yellow on the returned drawings. Please advise if you are in agreement with the sewer location, or if not, indicate any changes desirable.

After reviewing the proposed sewer location, please return the four drawings to us and indicate if you wish us to proceed with the sewer changes on the tracings.

Very truly yours,

CONSOER, TOWNSEND & ASSOCIATES

By: James Liljegren

JL/afs  
Encl.

cc: Mr. Edward Green  
Chief Engineer, City Utilities

# NOTICE OF IMPROVEMENT

## OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana, June 27, 1962

1076

To.....F...E...&...E...I...Summer.....  
Maple Street, R. R. 10  
Fort Wayne, Indiana.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did pass Improvement Resolution No. 1076-1962.....  
providing for the **Condemnation of a permanent right of way for sewer easement purposes and a temporary right of way for construction purposes across parts of Sections 28 and 33 situated in Township 30 North, Range 12 East, all in Allen County, Indiana.**

All work to be done under aforementioned Improvement Resolution shall be in accordance with the detailed plans, profile and specifications which are now on file and may be seen in the office of the Board of Public Works.

The Board has fixed.....**Thursday, July 12, 1962 at 3:30 p. m.**.....  
a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by the proposed improvement.

You are hereby notified that

Lot 169 Elzey's 3rd Add.

is subject to assessment for said proposed improvement under the Improvement Laws passed by the General Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

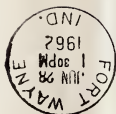
BOARD OF PUBLIC WORKS  
CITY HALL  
FORT WAYNE 2, INDIANA



*unknown*  
*RIO*

RECEIVED  
JUN 29 1962





Improvement Resolution No. **1076-1962** For THE CONDEMNATION OF PERMANENT AND TEMPORARY RIGHT-OF-WAY FOR SEWER EASEMENT PURPOSES IN CONNECTION WITH MAIN SEWER RESOLUTION NO. 135-1961

	OWNER'S NAME	ADDRESS	R. P. O.	NUMBER OF			DESCRIPTION
				LOT	BLOCK	O. L.	
1	MAY, WM	4301 Old Mill Rd					SPACE - VACATED 1 & M R/W IN
2							SEC. 28-30-12 E.
3	MELLINGER, B. & L.M.	6603 Bradley Ave					SPACE - VACATED 1 & M R/W IN S 1/2
4							OF SEC. 28-30-12 E.
5	CHURCHWARD, CHARLES & E. J.	7001 Elzey St.					SPACE - VACATED 1 & M R/W
6							N. OF LOWER HUNTINGTON RD.
7							IN S 1/2 OF SEC. 28-30-12 E.
8	WILSON, GLADYS L.	3113 L. Huntington Rd.					SPACE - VACATED 1 & M R/W
9							S OF LOWER HUNTINGTON RD
10							IN S 1/2 OF SEC. 28-30-12 E.
11	" "	" "					SPACE - VACATED 1 & M R/W
12							IN N 1/2 SEC. 33-30-12 E.
13	NOBLE, A. D. & H. D.	3114 McArthur Dr.					SPACE - VACATED 1 & M R/W
14							N OF McARTHUR DR. IN N 1/2
15							SEC. 33-30-12 E.
16	LEE, M. E. & C. E.	3108 McArthur Dr.		2			ELZEY'S 2ND ADD
17	MAY, F. R. & E.	3018 " "		3			" "
18	MARSH, O. D. & M. I.	7502 BEADLER AVE		4	Exc. S. 115'		" "
19	" "	" "		5	Exc. S. 115'		" "
20	FIDLER, A. J. & R. G.	2902 McArthur Dr.		166			ELZEY'S 3RD ADD.
21	GRACE, PAUL E. & V. M.	6636 Bradley Ave.		167			" "
22	LAISURE, R. L. JR. & J. I.	6616 Bradley Ave.		168			" "
23	SUMMER, F. E. & E. I.	RR # 0 11 area 2 1/2 x 1/2		169			" "
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36	NOTICES MAILED OR SERVED						
37	June 27, 1962						
38	By: <u>James M. Cline</u>						
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Rec'd 6/29/62

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